

EXHIBIT 1

Filed Date	Category	Description	Additional Info
3/10/2011	PET-PL	ORIGINAL PETITION/APPLICATION	PLAINTIFF'S ORIGINAL VERIFIED PETITION
3/10/2011	OTHER	AFFIDAVIT INABILITY PAY COSTS	AFFIDAVIT OF INABILITY TO PAY BY DESSIE MARIA ANDREWS
4/5/2011	SRVPROCESS ...	EXE SERVICE OF CITATION	KATHLEEN ANN GITTEL

D-1-GN-11 000730

CAUSE NO. _____

Dessie Maria Andrews
Plaintiff

v.

KATHLEEN ANN GITTEL
Defendant

IN THE DISTRICT COURT OF

TRAVIS COUNTY, TEXAS

126 JUDICIAL DISTRICT

Filed in The District Court
of Travis County, Texas

MAR 10 2011 BP

G.M.
Amalia Rodriguez-Mendoza, Clerk
AL

PLAINTIFF'S ORIGINAL VERIFIED PETITION**TO THE HONORABLE JUDGE OF SAID COURT:**

COMES NOW, Dessie Maria Andrews, hereinafter referred to as Plaintiff, and files this Original Petition. In support of this verified petition, the Plaintiff would show as follows:

I. DISCOVERY

1. Discovery in this matter is intended to be conducted under level 3 as set out in Texas Rules of Civil Procedure 190.4.

II. PARTIES

2. Plaintiff is a woman who lives in Austin, Texas.
3. Defendant Kathleen Ann Gittel ("Gittel") is a resident of Texas and lives in Liberty Hill, Texas. Gittel can be served with process at 1800 Thousand Oaks, Liberty Hills, Texas 78642.

III. JURISDICTION AND VENUE

4. Venue is proper in Travis County, Texas, pursuant to Tex.Civ.Prc. & Rem. Code §15.002(4). Jurisdiction is conveyed upon this court by Texas Constitution Art. 5, Sec. 7.

IV. FACTS

5. On May 8, 2010, Defendant created or caused to be created a Security Incident Report to the U. S. Department of Commerce.¹ Said report states the "incident" happened at (redacted)(written in) 33 Indian Trail, Liberty Hill, TX 78642. The report goes on to state that a

¹ Exhibit 1 – Security Incident Report, attached hereto and incorporated herein.



001923397

woman threatened enumerator and fired five shots with a revolver. It also states under #7 that enumerator attempted to contact address (redacted) Liberty Hill, TX 78642.

6. Later, a report on incident while Performing Enumeration Duties on 5/8/ 2010 was filed.²

In this report, Defendant Gittel states she performed enumeration duties on an HU (redacted), Liberty Hill, Williamson County, Zip Code 78642.

7. Defendant Gittel's statement goes on to say she saw a woman standing 100 feet in front of her when she turned her back to the house. Her narrative states the woman fired a total of five shots at her as she was quickly walking from the property, that although Defendant Gittle's back was to the woman, the woman "looked really angry and wild crazy".

8. Later, Defendant Gittel picked Carolyn Barnes from a photo array and Carolyn was indicted by the Williamson County District Attorney for a first degree felony.

9. Defendant Gittel has alleged, in complaints and statements which led to an indictment of Carolyn Barnes, that Defendant Gittel alleges, by innuendo, not by direct statement, that she was present on the private property of Carolyn Barnes, 419 Indian Trail, Leander, Texas, on May, 8, 2010 and that a woman, (later Gittel identified Ms. Barnes as the woman) ran her off the property and fired shots as she left.

10. Defendant Gittel was never on Carolyn Barnes' property. That she may have been somewhere else off of the San Gabriel River is a possibility, as Defendant Gittle's description of the property she claims to have visited matches that of an abandoned house north of Indian Trail and east of a railroad trestle.

11. Defendant Gittel, in collusion with Williamson County elected and appointed officials, identified Carolyn Barnes as the woman in her story.

² Exhibit 2 – Report on incident, attached hereto and incorporated herein

12. There were no witnesses to Defendant Gittel's incident, and Gittel asked no one for help at the scene, although there were a number of visitors on Indian Trail that day.

13. There was no injury suffered by Defendant Gittel, no evidence, nothing to corroborate her story that she was even in Leander on that Saturday. Everything in her written evidence states she was enumerating in Liberty Hill, Texas, on May 8, 2010.

14. Ms. Gittel has fabricated a story for reasons unknown that has led to the indictment and imprisonment of Ms. Barnes.

15. Plaintiff has live cases with hearings in which Ms. Barnes is the sole attorney, and Plaintiff has suffered and is suffering harm because of Ms. Barnes incarceration, which is a direct result of Defendant Gittel's actions.

CAUSES OF ACTION

CAUSE 1

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16. Defendant Gittel gave a statement to Williamson County officials, naming Plaintiff's attorney and implicating Plaintiff's attorney in an act that has been made to appear heinous. Ms. Gittel's statement were not true. The statements were so obviously hurtful to Ms. Barnes that it required no proof of its injurious character to make it actionable. The statements were so injurious to Ms. Barnes personal reputation as to make her a person of public and private ridicule. This public and private ridicule have prejudiced Plaintiff and her ongoing legal actions which are dependent on Ms. Barnes, her expertise and her reputation.

17. The statements have injured Ms. Barnes', a living person, reputation and thereby exposed her and by extension her clients, to public hatred, contempt, ridicule or financial injury. The statements which Defendant Gittel made were reasonably calculated to produce public hatred,

contempt, ridicule and financial injury. As a result, Plaintiff has suffered the same public hatred, contempt, ridicule and financial injury by extension and implication.

18. Ms. Gittel's statements injured Ms. Barnes in her office, profession, and occupation and the direct result affects the outcome of each and every representation made by Ms. Barnes in the courts. This has personally and directly harmed Plaintiff.

19. Ms. Gittel's statements falsely charged Ms. Barnes with the commission of a crime punishable by imprisonment. As a result of the hatred and contempt, and although Ms. Barnes has appeared at every hearing and posted \$50,000 to the false charges, Plaintiff's attorney was arrested in open court on February 28, 2011 while making an appearance in court and is currently confined to prison indefinitely.

CAUSE 2

TORTIOUS INTERFERENCE OF ATTORNEY/CLIENT RELATIONSHIP

20. Defendant Gittel by her actions, has committed acts whose results were tortious interference of an attorney/client relationship. Plaintiff has engaged Ms. Barnes services as an attorney in several matters, including most importantly, the return of Andrews's grandson, Brennan, who was kidnapped in Lee County and is being held unlawfully by the Texas Department of Family Services.

21. Because of Defendant Gittel's report and the charges and incidents which ensued, Ms. Barnes was arrested while appearing in court on February 28, 2011, and remains in jail where Barnes is not able to appear in scheduled hearings for Plaintiff.

22. This has caused Plaintiff injury.

CAUSE 3

INTENTIONAL INFILCTION OF EMOTIONAL DISTRESS

23. Defendant Gittel, on May 8, 2010, when she caused Leander Police and the Williamson County Sheriff's Office to be called, acted intentionally and recklessly. Defendant Gittel's conduct was intentional. Defendant Gittel has lived in Williamson County long enough to know that the consequences of making a report of this kind was certain to result in harm to Ms. Barnes. Defendant Gittel's conduct was reckless, Defendant Gittel knew or had reason to know that the facts she related to the Williamson County Sheriff's Office would create a high degree of risk of harm to another, yet she deliberately filed a report and placed calls to law enforcement which resulted in the arrest and imprisonment of Ms. Barnes, an innocent victim of Defendant Gittel's deliberate actions.

24. The very fact that Defendant Gittel was or admits to being on private posted property, whether it was for census taking or bird watching, which is Gittel's avocation, is trespass. Defendant Gittel's transference of an alleged crime to Ms. Barnes is extreme and outrageous. By setting into motion the events that transpired after Gittel's report, calls and identification of Ms. Barnes, resulting in the emotional and physical distress to Ms. Barnes and by extension to those who relied on Ms. Barnes, including Plaintiff, Plaintiff alleges that Defendant Gittel's actions were the proximate cause of emotional distress to Plaintiff.

25. Ms. Barnes has been fighting diligently to get Brennan back into the custody of Plaintiff and her son. Ms. Barnes is unique in her dedication and abilities. When, in the presence of Plaintiff, Ms. Barnes was arrested and taken away, not only was Plaintiff stunned and shocked, Plaintiff suffered emotional distress and continues to suffer distress, as her hopes to recover her grandson went off to a jail cell with Ms. Barnes to be locked away.

CONCLUSION

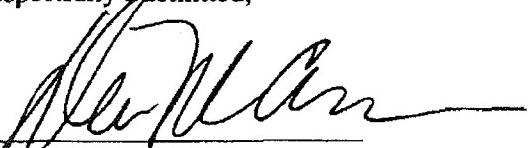
26. On May 8, 2010, Defendant Gittel, for reasons unknown, caused to be set into motion events that have impacted Plaintiff's life and have caused her grave injury. Plaintiff has a number of legal issues which are live and are being endangered as a direct consequence of Defendant's actions.
27. Defendant Gittel, unharmed and perhaps herself a trespasser, set into motion events which have had negative impact on Plaintiff and have and are causing her serious injury.

PRAYER

28. WHEREFORE, PREMISES CONSIDERED, Plaintiff requests that upon final hearing:
Defendant be cited to appear and answer herein, and that upon final hearing, Plaintiff receive judgment and other relief described as follows:

1. Actual damages, which include
 - a. General damages, and
 - b. Special damages.
2. Nominal damages.
3. Exemplary damages.
4. Interest.
5. Court costs.
6. Attorney's fees.
7. That Plaintiff be awarded such other and further relief, both at law or in equity, to which she may show herself justly entitled.

Respectfully Submitted,


Dessie Maria Andrews
6715 Skynook Drive
Austin, Texas 78745
(512) 416-7139
(512) 233-2693 Fax

The State of Texas }
 }
Travis County }

VERIFICATION

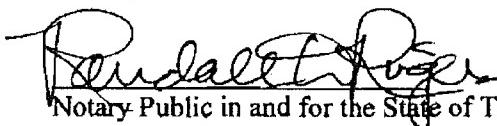
BEFOE ME, the undersigned authority, on this day personally appeared Dessie Maria Andrews, who, upon being duly sworn by me, deposed as follows:

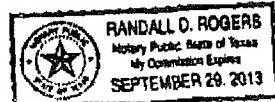
"My name is Dessie Maria Andrews. I am the Plaintiff in the attached lawsuit.

I have read the petition and I have personal knowledge of the facts stated in the petition. I do state that the facts contained therein are true and correct.


Dessie Maria Andrews

SWORN AND SUBSCRIBED before me by Dessie Maria Andrews on this the 10th day of March, 2011.


Randall D. Rogers
Notary Public in and for the State of Texas



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P2

04/19/2005 05:05 5123316623
US Census Bureau

Form EC-1204 GSA GEN		U.S. DEPARTMENT OF COMMERCE Economics and Statistics Administration U.S. CENSUS BUREAU		1. Incident	CENSUS SECURITY OFFICE USE ONLY	
		Date	Time	5/8/10	4:10	a.m.
SECURITY INCIDENT REPORT						
		2. Report		5/8/10	4:45	a.m.
		Date	Time			
		Date received - Stamp				

3. Complete address where incident happened
(Street, city, State, ZIP Code) OR
(Room/Building)

33 INDIAN TRAIL LIBERTY HILL, TX 78642

4. Person completing report -->	a. Name HAROLD K. POPPA, JR.	b. Signature Harold K. Poppa Jr.
	c. Telephone number 512 255 3732	d. Area code Number 512 255 3732
	e. Division or Region WILLIAMSON CO.	f. Building Room No.

5. Type of incident

- ADP
 Assault
 Theft - Government
 Theft - Personnel

g. Was medical attention
received?

- Yes
 No

7. Details of Incident - If additional pages are needed, mark (X) this box and attach.
ENVIRONMENT ATTEMPTED TO CONTACT ADDRESS
LIBERTY HILL, TX 78642 CASE ID 32-10303 1053 961 66. WOMAN
THREATENED GENERATOR A FIRED FIVE SHOTS WITH
REVOLVER, REPORT TO WILLIAMSON CO. SHERIFF DEPT., GEORGETOWN, TX
TELEPHONE 512 943 1300, 508 50, ROCK ST., GEORGETOWN, TX.
CERT INCIDENT CASE # 912)

8. Who was notified of incident - Mark (O) all boxes that apply	9. Police report number (If applicable) C10-05-2482
<input type="checkbox"/> Police <input type="checkbox"/> Supervisor <input type="checkbox"/> F.B.I. <input checked="" type="checkbox"/> Census Security Office <input checked="" type="checkbox"/> Sheriff <input type="checkbox"/> FPD <input type="checkbox"/> Administrative Office <input type="checkbox"/> Other - Specify p <input type="checkbox"/> Division/Regional Security Representative	<input type="checkbox"/> Attached <input checked="" type="checkbox"/> Will follow

10. Persons involved in incident - Attach additional pages, if necessary.
 Codes for column (a): W - Witness V - Victim or Complainant O - Investigated by M - Medical personnel

Code (a)	Name (b)	Telephone (c)		Street, city, State, ZIP Code (d)
		Area code	Number	
	KATHLEEN GITTEL	512	639-3737	LIBERTY HILL, TX 78642

CENSUS SECURITY OFFICE USE ONLY

Disposition of incident - If additional pages are needed, mark (X) this box and attach.

Signature of person closing this incident

13. Date incident was closed

14. Incident number

CENSUS BUREAU

GPO U.S. GOVERNMENT PRINTING OFFICE 2010-048-02512504

EXHIBIT I

04/19/2005 05:06
AUG 14 10 UZ22p5123316623
US Census Bureau

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<p>Form D-225 G-12209</p> <p>U.S. DEPARTMENT OF COMMERCE U.S. CENSUS BUREAU</p> <p>INFO - COMM Information Communication 2010 Census</p>	a. TO (Recipient)		b. FROM (Sender)		
	ERIC SHEPPARD		HAROLD POPPA		
	c. LCC code	d. RCG	e. Operation		
	3062	0201	NRFU		
	f. Position title	g. CLD No./Other		h. Date	
	CREWLEADER	0201		5/8/10	
	IP REFERENCE TO SPECIFIC UNIT, SHOW WHERE APPLICABLE				
	i. AA	j. Block	k. Map spot	l. Case ID number/Line number	
	m. Address or description (Include city name and ZIP Code)				

See back of copy 3 for instructions.

Section 1: STATEMENT (Answer required): Yes NoMark **DO** appropriate box(es) and provide explanation.

- Unable to contact Refusal Unable to enumerate Other - Explain below
- Inaccessible Other Living Quarters Procedural question
- Picked up paper questionnaire Geography/Map problem Payroll question

Explanation: SHOOTING- INCIDENT 5/8/10, WILLIAMSON CO.
SHERIFF DEPUTY HERNANDEZ INDICATED POLICE
REPORT WOULD NOT BE AVAILABLE UNTIL MONDAY
OR TUESDAY, PHONE # 943-1300, SHERIFF DEPT,
508 S. ROCK ST., GEORGETOWN, TX. CASE # C10-05-2482

Section 2: ANSWER AND DISTRIBUTION

Answered or acknowledged by	Date
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Copy distributions: Copies 1 and 2 - Reciever Copy 3 - Sender

U.S. CENSUS BUREAU

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R LOFTIN

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Report On Incident While Performing Enumeration Duties on 5/8/2010 at

1

HU # [REDACTED] Liberty Hill, Williamson County, Zip Code 78642

Kathleen Gittel, Employee ID 1069296

[REDACTED]

Liberty Hill, TX, 78642

There were 3 HUs in this block. I completed the questionnaire for one of the two River Run Road residents. That respondent gave me a lift to Indian Trail. It was about 3:20 pm when he let me off his truck where the only other two houses on Indian trail are located.

About 3/8 of a mile down Indian Trail Road, at the end of the road, I saw a house. I approached it noting that though it had a new paint job it was surrounded by garbage including empty paint containers, empty plaster containers and boxes full of discarded junk. About five vehicles were parked to the side of the house - rusted old trucks, rusted old cars and an old rusted tractor. I figured I was looking at a vacant house that was being remodeled.

But then I saw a clothesline with clothes hanging on it that I identified as belonging to a woman, a man and child. Later the police told me that a woman and a teenage boy live there. They think a man might also live there, but they weren't sure.

I went to the side of the house and looked into window in the side-door. The house appeared empty except for cartons of refuse. I proceeded to the front of the house to check the house number, but couldn't see it because my sight was blocked by bushes and by many boxes and containers of debris.

I heard a gunshot, then I smelled gunpowder. It came from behind me. I turned and saw no one. I called out, "Hellooo, please don't shoot, I'm just the census taker." There was no reply. I called out again the same and again there was no reply. I called

EXHIBIT 2

04/19/2005 05:06

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out a third time and when there was no reply, assumed I heard a hunter shooting squirrels or what ever and I turned to try and see the house number again.

Then I heard something behind me and I turned back. About 100 ft in front of me stood a woman with a revolver pointed directly at me. The gun bore was approximately $\frac{1}{2}$ to $\frac{1}{4}$ in diameter. The woman was about 5' 4", between 40 to 50 years old. She was White, with black hair pulled back in a pony tail that sat low on her neck. She was about 135 lbs, kind of dumpy and about 10 to 20 pounds pounds over-weight. She wore a dark skirt that came to just below her knees and a light colored blouse.

I started to explain that I was only the census worker but before I could get out more than one or two words, she yelled, "If you don't get off my property now, this is your last day on earth."

I began walking down the road fast so as to get off her property as quickly as possible.

During all this time my Census Shoulder Bag was over my shoulder and the printed part that identified me as a Census Worker was turned to the outside so it was clear who I was, unless she could not read. But even so, I had verbally identified myself 3 times when I called out who I was after I heard this first shot.

My back was turned to her and I was walking as fast as I could down the road. She fired another shot at my back. Unfortunately I could not walk faster without tripping. The road was uneven and full of rocks and pits. Without stopping, I called back to her, "I am leaving as fast as I can. I'm sixty-eight years old and I can't run."

She yelled, "I'm too old for this shit too," then something about how she was going to kill me if I didn't get off her property. Then she shot at my back again. And yelled, "You tell your supervisor that I'll shoot anyone else he sends here too."

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FBI - Waco Bureau

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I answered "Yes, Ma'am," and kept walking. She shot at my back again and yelled something again. I don't remember exactly what it was - something about trespassing and stuff but by this time I was sure she was going to kill me, so my attention was somewhat distracted as I kept trying to walk really fast without falling.

She yelled out something meaning, how did I get there and I answered, "I walked, Ma'am." She kept yelling things to which I routinely answered, "Yes Ma'am," I was running out of breath by this time and "Yes Ma'am" was about all I could manage.

She shot at my back again. I tried to walk faster, but I just could not do so without falling. I was scared of falling, because I was pretty sure she would run down and shoot me point blank in the back if I fell. She looked really angry and wild crazy and her yelling carried the same impression. There were no more shots and I hoped I was finally off her property. The problem was that the road looked the same all the way up to her place so I had no idea where her property ended.

After a few minutes I heard rustling to the left of me in the heavily wooded area next to the road and I realized that she was parallel to me and tracking me. I guess she wanted to make sure I got off her property. I became even more worried about my life at this time. I didn't know how long it might take her to reload her revolver or even if she had another weapon on her. And so I just kept walking as fast as I could.

Then I heard her yell out, "Hey Dale, I just shot a government person off my property." She sounded happy and proud. I felt more scared because someone who is both mean and crazy is unpredictably dangerous. By this time I had crossed an overflowing bridge and the railroad tracks and came into open land that was mowed on both sides with a black topped road. I could see River Run Road ahead of me and across from River Run Road I saw a new house being framed.

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2010/01/11 New Sub

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At this point I felt safe enough to pause and call Harold Poppa, my supervisor. I left a voice message that I was near the corner of Indian Trail and River Run Road and had been shot at. According to my cell phone, I made that call at 4:11 pm. Since my first respondent dropped me off on Indian Trail at about 3:20 pm, the incident probably took place sometime between 3:45 pm and 4 pm.

Harold Poppa called me right back and we met at the Super HEB on the corner of 183 and RM 2243. Before Harold Poppa arrived I called CIRT and made a full report.

Harold Poppa called the sheriff and we completed the police report. Later that evening, two detectives came to my house and interviewed me. I identified the woman who shot me from a group of photos showing six similar looking women. There was no mistaking her.

Indian Trail is 3/8 of a mile long. That's how far I had to travel with that woman shooting at me and trailing me.

Then I had to walk another 1 1/4 of a mile down River Run Road to get to my car which was parked in a small parking area next to the entrance.

And that's about it. I hope this report is adequate.

Kathleen Ann Gittel

CIVIL CASE INFORMATION SHEET

D-1-6P - 11-000730 #126

CAUSE NUMBER (FOR CLERK USE ONLY):

COURT (FOR CLERK USE ONLY):

STYLED ANDREWS V. GITTTEL

(e.g., John Smith v. All American Insurance Co.; In re Mary Ann Jones; In the Matter of the Estate of George Jackson)

A civil case information sheet must be completed and submitted when an original petition or application is filed to initiate a new civil, family law, probate, or mental health case or when a post-judgment petition for modification or motion for enforcement is filed in a family law case. This sheet, approved by the Texas Judicial Council, is intended to collect information that will be used for statistical purposes only. It neither replaces nor supplements the filings or service of pleading or other documents as required by law or rule. The sheet does not constitute a discovery request, response, or supplementation, and it is not admissible at trial.

1. Contact information for person completing case information sheet:		Names of parties in case:	Person or entity completing sheet is:	
Name: <u>DESSIE ANDREWS dessie.andrews@gmail.com</u>	Email: <u>@gmail.com</u>	Plaintiff(s)/Petitioner(s): <u>SARAH</u>	<input type="checkbox"/> Attorney for Plaintiff/Petitioner <input checked="" type="checkbox"/> Pro Se Plaintiff/Petitioner <input type="checkbox"/> Title IV-D Agency <input type="checkbox"/> Other: _____	
Address: <u>67159 FM 2000 D. 512-233-</u>	Telephone: <u>672-416-7139</u>	Defendant(s)/Respondent(s): <u>KATHLEEN GITTTEL</u>	Additional Parties in Child Support Case: Custodial Parent: _____ Non-Custodial Parent: _____ Presumed Father: _____	
City/State/Zip: <u>AUSTIN TX 78745</u>	Fax: <u>512-233-2695</u>	(Attach additional page as necessary to list all parties)		
Signature: <u>Dessie Andrews</u>	State Bar No: <u> </u>			
2. Indicate case type, or identify the most important issue in the case (select only 1):				
<i>Civil</i>		<i>Family Law</i>		
Contract	Injury or Damage	Real Property	Post-judgment Actions (non-Title IV-D)	
<input type="checkbox"/> Debt/Contract <input type="checkbox"/> Consumer/DTPA <input type="checkbox"/> Debt/Contract <input type="checkbox"/> Fraud/Misrepresentation <input type="checkbox"/> Other Debt/Contract	<input type="checkbox"/> Assault/Battery <input type="checkbox"/> Construction <input type="checkbox"/> Defamation <input type="checkbox"/> Malpractice <input type="checkbox"/> Accounting <input type="checkbox"/> Legal <input type="checkbox"/> Medical <input type="checkbox"/> Other Professional Liability	<input type="checkbox"/> Eminent Domain/Condemnation <input type="checkbox"/> Partition <input type="checkbox"/> Quiet Title <input type="checkbox"/> Trespass to Try Title <input type="checkbox"/> Other Property: _____	<input type="checkbox"/> Annulment <input type="checkbox"/> Declare Marriage Void Divorce <input type="checkbox"/> With Children <input type="checkbox"/> No Children	<input type="checkbox"/> Enforcement <input type="checkbox"/> Modification—Custody <input type="checkbox"/> Modification—Other
Foreclosure	Related to Criminal Matters	Other Family Law	Title IV-D	
<input type="checkbox"/> Home Equity—Expedited <input type="checkbox"/> Other Foreclosure <input type="checkbox"/> Franchise <input type="checkbox"/> Insurance <input type="checkbox"/> Landlord/Tenant <input type="checkbox"/> Non-Competition <input type="checkbox"/> Partnership <input type="checkbox"/> Other Contract	<input type="checkbox"/> Motor Vehicle Accident <input type="checkbox"/> Premises Product Liability <input type="checkbox"/> Asbestos/Silica <input type="checkbox"/> Other Product Liability List Product: <input type="checkbox"/> Other Injury or Damage: _____	<input type="checkbox"/> Exoneration <input type="checkbox"/> Judgment Nisi <input type="checkbox"/> Non-Disclosure <input type="checkbox"/> Seizure/Forfeiture <input type="checkbox"/> Writ of Habeas Corpus—Pre-indictment <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforce Foreign Judgment <input type="checkbox"/> Habeas Corpus <input type="checkbox"/> Name Change <input type="checkbox"/> Protective Order <input type="checkbox"/> Removal of Disabilities of Minority <input type="checkbox"/> Other: _____	<input type="checkbox"/> Enforcement/Modification <input type="checkbox"/> Paternity <input type="checkbox"/> Reciprocals (UIFSA) <input type="checkbox"/> Support Order
Employment	Other Civil	Parent-Child Relationship		
<input type="checkbox"/> Discrimination <input type="checkbox"/> Retaliation <input type="checkbox"/> Termination <input type="checkbox"/> Workers' Compensation <input type="checkbox"/> Other Employment	<input type="checkbox"/> Administrative Appeal <input type="checkbox"/> Antitrust/Unfair Competition <input type="checkbox"/> Code Violations <input type="checkbox"/> Foreign Judgment <input type="checkbox"/> Intellectual Property	<input type="checkbox"/> Lawyer Discipline <input type="checkbox"/> Perpetuate Testimony <input type="checkbox"/> Securities/Stock <input type="checkbox"/> Tortious Interference <input type="checkbox"/> Other: _____	<input type="checkbox"/> Adoption/Acknowledgment <input type="checkbox"/> Child Protection <input type="checkbox"/> Child Support <input type="checkbox"/> Custody or Visitation <input type="checkbox"/> Gestational Parenting <input type="checkbox"/> Grandparent Access <input type="checkbox"/> Parentage/Paternity <input type="checkbox"/> Termination of Parental Rights <input type="checkbox"/> Other Parent-Child: _____	
Tax	Probate & Mental Health			
<input type="checkbox"/> Tax Appraisal <input type="checkbox"/> Tax Delinquency <input type="checkbox"/> Other Tax	Probate/Wills/Intestate Administration <input type="checkbox"/> Dependent Administration <input type="checkbox"/> Independent Administration <input type="checkbox"/> Other Estate Proceedings	<input type="checkbox"/> Guardianship—Adult <input type="checkbox"/> Guardianship—Minor <input type="checkbox"/> Mental Health <input type="checkbox"/> Other: _____		
3. Indicate procedure or remedy, if applicable (may select more than 1):				
<input type="checkbox"/> Appeal from Municipal or Justice Court <input type="checkbox"/> Arbitration-related <input type="checkbox"/> Attachment <input type="checkbox"/> Bill of Review <input type="checkbox"/> Certiorari <input type="checkbox"/> Class Action	<input type="checkbox"/> Declaratory Judgment <input type="checkbox"/> Garnishment <input type="checkbox"/> Interpleader <input type="checkbox"/> License <input type="checkbox"/> Mandamus <input type="checkbox"/> Post-judgment	<input type="checkbox"/> Prejudgment Remedy <input type="checkbox"/> Protective Order <input type="checkbox"/> Receiver <input type="checkbox"/> Sequestration <input type="checkbox"/> Temporary Restraining Order/Injunction <input type="checkbox"/> Turnover		

3/11/2011

CAUSE NO. DH-GN-11-000730

Dessie Maria Andrews
Plaintiff

v.

KATHLEEN ANN GITTEL
Defendant

IN THE DISTRICT COURT

TRAVIS COUNTY, TEXAS

126TH JUDICIAL DISTRICT

Filed in The District Court
of Travis County, Texas

MAR 10 2011 BP

J. 22 M.
Amalia Rodriguez-Mendoza, Clerk

Affidavit of Inability to Pay by Dessie Maria Andrews

State of Texas
Travis County

On this day Dessie Maria Andrews appeared before me, the undersigned notary public, and after I administered an oath to her, upon her oath, she said:

"My name is Dessie Maria Andrews. I am more than twenty one years of age and capable of making this affidavit.

I do not have the funds I need to pay the fees for this suit.

AAC

I am seventy one years old, have no employment and live on a limited pension.

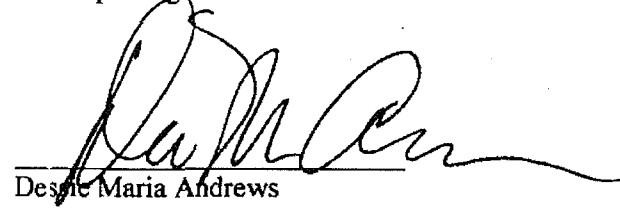
The pension funds are less than \$460 per week and I have no ability to receive further income at this time.

I have no way to pay the fees associated with the filing of this original petition and would request that the court waive the fees associated with filing.

I have \$2,000 in assets.

I have no way to borrow and have been reduced to peonage because of current economic conditions.

Further affiants sayeth not.

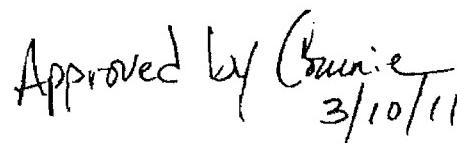


Dessie Maria Andrews

SWORN TO AND SUBSCRIBED before me by Dessie Maria Andrews




Notary Public



3/10/11

Barcode
001923400

C I T A T I O N
T H E S T A T E O F T E X A S
C A U S E N O. D-1-GN-11-000730

dwh/mar
8

DESSIE MARIA ANDREWS

, Plaintiff

vs.
KATHLEEN ANN GITTEL

, Defendant

TO: KATHLEEN ANN GITTEL
1800 THOUSAND OAKS
LIBERTY HILL, TEXAS 78642

Defendant, in the above styled and numbered cause:

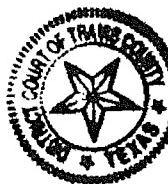
YOU HAVE BEEN SUED. You may employ an attorney. If you or your attorney do not file a written answer with the clerk who issued this citation by 10:00 A.M. on the Monday next following the expiration of twenty days after you were served this citation and petition, a default judgment may be taken against you.

Attached is a copy of the ORIGINAL VERIFIED PETITION of the PLAINTIFF in the above styled and numbered cause, which was filed on MARCH 10, 2011 in the 126TH JUDICIAL DISTRICT COURT of Travis County, Austin, Texas.

ISSUED AND GIVEN UNDER MY HAND AND SEAL of said Court at office, March 10, 2011.

REQUESTED BY:
DESSIE MARIA ANDREWS, PRO-SE
6715 SKYNOOK DRIVE
AUSTIN, TEXAS 78745
TELEPHONE: (512) 416-7139
FAX1 (512) 233-2693

AMALIA RODRIGUEZ-MENDOZA
Travis County District Clerk
Travis County Courthouse
1000 Guadalupe, P.O. Box 679003 (78767)
Austin, Texas 78701



By 
ALEJANDRA MEDRANO-CHAPA, Deputy

 Came to hand on the 18th day of March, 2011 at 1:36 o'clock P M., and executed at
1800 Thousand Oaks Liberty Hill, TX 78642 within the County of BURNET on the
21st day of MARCH, 2011, at 5:05 o'clock P M., by delivering to the within named
KATHLEEN ANN GITTEL - 1800 Thousand Oaks Liberty Hill, TX 78642, each in
 person, a true copy of this citation together with the NOTICE OF ENTRY OF EFILE MANDATE ORDER accompanying
 pleading, having first attached such copy of such citation to such copy of pleading and endorsed on such copy of
 citation the date of delivery.

Service Fee: \$ _____

Sworn to and subscribed before me this the

____ day of _____, _____.

RECEIVED

Notary Public in the State of Texas

D-1-GN-11-000730
 Original Service Copy

CONSTABLE (PAUPER)

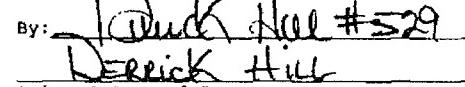
DO1 - 54314

DERRICK HILL
RECEIVED
MAR 28 2011

County, Texas

Bruce Ellant
Constable Pct. 5, Travis County, Texas


Sheriff / Constable / Authorized Person

By: 
Derrick Hill #529
Printed Name of Server

***** -COMM. JOURNAL- ***** DATE MAR-28-2011 ***** TIME 10:33 *****

MODE = MEMORY TRANSMISSION

START=MAR-28 10:32

END=MAR-28 10:33

FILE NO.=091

STN NO.	COMM.	STATION NAME/EMAIL ADDRESS/TELEPHONE NO.	PAGES	DURATION
001	OK	882332693	002/002	00:00:49

-CONSTABLE PCT5

***** UF-8000 v2 ***** -CONSTABLE PCT5. - ***** - 512 854 4228- *****



Bruce Elfant, Constable
 Travis County Constable
 Precinct 5
 P.O. Box 1748
 Austin, Texas 78787
 March 28, 2011

ANDREWS,DESSIE MARIA
 6715 SKYNOK DR
 AUSTIN, TX 78745
 Fax Number: 2332893

Case No. D1GN11000730-1
 Court: 128 District Court
 County: TRAVIS
 Plaintiff: ANDREWS,DESSIE MARIA
 Defendant: GITTEL,KATHLEEN ANN
 Respondent: GITTEL,KATHLEEN ANN

Attached please find a copy of the Officer's Return for the above referenced case. For problems with this fax contact me at (512)854-9100.

Alicia Perez

ATTENTION: eFilers

Remember to include 'Please use Constable Pct. 5' in the Special Instructions/Comments box so we will receive your paper.

CHOOSE PRECINCT 5

If you want...

- 24/7 Service Status Check Online
- Live-person Service Check Hotline
- Daily delivery to all state offices
- Rush Service when needed
- No extra charges for Research
- Located by the Courthouse

Constable5.com

Travis County Courthouse Complex ~ 1003 Guadalupe, Austin, Texas 78701
 (512)854-9100 - Fax(512)854-4228 - www.Constable5.com

EXHIBIT 2

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

DESSIE MARIA ANDREWS,
Plaintiff,

v.

KATHLEEN ANN GITTEL,
Defendant.

§
§
§
§
§
§

Civil Action No. _____

CERTIFICATION

I, JOHN F. PANISZCZYN, am an Assistant United States Attorney and the Chief for the Civil Division in the Office of the United States Attorney for the Western District of Texas, located in San Antonio, Texas. In that capacity, I have reviewed the Plaintiff's Original Verified Petition filed in the above-styled action. Acting pursuant to the provisions of 28 U.S.C. § 2679(d), 28 C.F.R. § 15.4, and the authority delegated to me as the Chief for the Civil Division, I hereby certify that Defendant Kathleen Gittel, at all times with respect to the allegations made in the Original Verified Petition, was acting within the course and scope of her federal employment with the United States Department of Commerce, Census Bureau.

Dated:

April 14, 2011

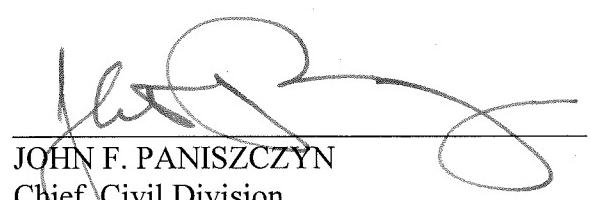

JOHN F. PANISZCZYN
Chief, Civil Division
Office of the U.S. Attorney for the
Western District of Texas

EXHIBIT 3

Cause No. D-1-GN-11-000730

DESSIE MARIA ANDREWS, § **IN THE DISTRICT COURT OF**
Plaintiff, §
§
§
v. § **TRAVIS COUNTY, TEXAS**
§
KATHLEEN ANN GITTEL, §
Defendant. § **126TH JUDICIAL DISTRICT**

DEFENDANT'S NOTICE OF FILING OF NOTICE OF REMOVAL

TO: Amalia Rodriguez-Mendoza
Travis County District Clerk
P.O. Box 679003
Austin, Texas 78767-9003

and

Pro Se Plaintiff as set out in the "Certificate of Service" section below.

Please take notice that on April 13, 2011, the United States, on behalf of Defendant Kathleen Ann Gittel, submitted to the Office of the Clerk of the United States District Court for the Western District of Texas, Austin Division, a Notice of Removal of the above-styled action to the United States District Court. A copy of the Notice of Removal is attached pursuant to 28 U.S.C. § 1446(d). (Exhibit 1). You are respectfully directed to that provision which provides:

Promptly after the filing of such notice of removal of a civil action the defendant or defendants shall give written notice thereof to all adverse parties and shall file a copy of the notice with the clerk of such State court, which shall effect the removal and *the State court shall proceed no further unless and until the case is remanded.*

28 U.S.C. § 1446(d) (emphasis added).

Respectfully submitted,

JOHN E. MURPHY
UNITED STATES ATTORNEY

By: /s/ Daniel M. Castillo
DANIEL M. CASTILLO
Assistant United States Attorney
Texas State Bar No. 00793481
816 Congress Avenue, Suite 1000
Austin, TX 78701
(512) 916-5858 / 916-5854 (fax)

ATTORNEYS FOR DEFENDANT

CERTIFICATE OF SERVICE

I certify that a true and correct copy of the above and foregoing **Defendant's Notice of Filing of Notice of Removal** has been served by placing same in the United States mail, Certified Return Receipt Requested postage prepaid, on this the 14th day of April, 2011, addressed to:

Dessie M. Andrews, *pro se*
6715 Skynook Drive
Austin, Texas 78745

/s/ Daniel M. Castillo
DANIEL M. CASTILLO
Assistant United States Attorney